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REMARKS

OF

HON. R. F. STOCKTON,

OF

NEW JERSEY,

UPON

NON-INTERVENTION.

DELIVERED

IN THE SENATE OF THE UNITED STATES,

FEBRUARY 2, 1852.

WASHINGTON:

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Mr. PRESIDENT: I hold in my hand a series of resolutions passed by the Legislature of the State of New Jersey, and which by their authority have been transmitted to me. I ask that they may be read and printed.

The Secretary read the resolutions, as follows:

Joint Resolutions in relation to Governor Kossuth and the doctrine of national non-intervention.

Whereas Louis Kossuth, Governor of Hungary, exiled from his country because he made a gallant but unsuccessful struggle for his country's rights, has come to the United States, an invited guest of the nation—

1. *Be it resolved by the Senate and General Assembly of the State of New Jersey*, That Louis Kossuth be invited to visit this Legislature at its present session, that we may extend to him the hospitality of the State, and assure him of our sympathy.

2. *Be it resolved*, That in Louis Kossuth we recognize a true patriot, and the able and eloquent expounder of constitutional rights and liberties; that we sympathize with him and his countrymen in the calamities which have befallen their fatherland; that we deeply deplore that the recent glorious struggle for the freedom of Hungary was rendered unsuccessful by the treason of their general, and the armed intervention of Russia, contrary to the principles of justice and international law; and that we trust, by the blessings of Divine Providence, that all his future efforts in the cause of his country may be crowned with success, and that the people of Hungary, now dispersed or down-trodden, may be restored to freedom and happiness, under the protecting care of a constitutional government, erected by themselves.

3. *And be it resolved*, That every nation has a right to alter, modify, abolish, or adopt its own form of government, and regulate its own internal affairs, and that an armed intervention of any other nation to control or destroy this right is an infraction of international law.

4. *And be it resolved*, That the supremacy of the non-intervention law, acknowledged by all nations, would tend to maintain national rights, prevent national wars, and give a lasting peace to the world.

5. *And be it resolved*, That our Senators and Representatives in Congress be requested to obtain the passage of a resolution by Congress, instructing the representatives of the United States to the Governments of Europe to urge upon those Governments a declaration that the forcible intervention of one nation to regulate the internal affairs, or to alter, modify, abolish, or prescribe the form of government of another nation, is an infraction of the law of nations.

6. *And be it resolved*, That the Governor be requested to transmit a copy of these resolutions to the President of the United States, to Louis Kossuth, and to each of our Senators and Representatives in Congress.

MR. STOCKTON. Mr. President, no one need doubt my regard for the old Democratic principle, that the representative is bound by the will of his constituents. No one need doubt the profound respect which any expression of opinion by the Legislature of New Jersey will command from me. I know no higher honor than faithfully to represent my native State. I can enjoy no higher satisfaction than to feel that I merit her approval. My ambition in the discharge of my duties here, is to promote her interests. In doing *that*, I know that I shall promote the welfare of our whole country.

Sir, I execrate the oppressors of poor Hungary, and cordially sympathize with the Legislature and people of New Jersey in her sufferings. I am as desirous for her independence and the extension of human liberty as any of my fellow citizens. Nevertheless, I am constrained to say, that while I agree to every sentiment of freedom and love of liberty contained in the resolutions which you have just heard read, I do not entirely concur in the principles of public law by which the object they have in view is sought to be obtained. I will, therefore, with the Senate's leave, proceed to state, in a few brief remarks, the grounds of my opinion—what, in my judgment, are the responsibilities of this Government, and the course we ought to take in regard to our foreign relations. The course suggested by the resolutions is not precisely the one preferred by me. They do not avow the principles which this Government ought to assert and maintain—which the United States always has asserted, and which I hope she will continue to assert as long as there is a single despotic Government existing whose people rise to demand the blessings of liberty.

Sir, when we cast our eyes over the world—everywhere—with the exception of America—we see the surface of the

whole earth appropriated by absolute monarchs. The only country which enjoys Republican Government, and whose people adequately appreciate free institutions, is the United States. Those free institutions comprehend all that survives of free principles and political liberty. In them is concentrated all that is valuable of what man has ever achieved in qualifying himself for self government.

The Mosaic Republic—Rome and her Empire—the transitory Commonwealths of Italy and Germany, which heralded the revival of learning—all stand as beacon-lights to warn and instruct us. All that is of value in the institutions of the Great Alfred or modern Britain is ours—improved, perfected, and divested of every element which can interfere with, or enfeeble the sovereignty of the people. We are, in truth, the residuary legatees of all that the blood and treasure of mankind, expended for four thousand years, have accomplished in the cause of human freedom. In our hands alone is the precious deposit. Before God and the world, we are responsible for this legacy. Not for our own benefit only, but for the benefit and happiness of the whole family of man. What course, then, shall this Government take to perpetuate our liberties and to diffuse our free institutions over the world?

1st. We must guard our constitutional grant of delegated power from infraction. We must abide within the limits prescribed by the States to the General Government. We must discreetly exercise the powers actually granted, and abstain from the exercise of all powers not granted.

2d. We must so direct the foreign affairs of this Government, that the progress of liberty shall be promoted and not retarded. This progress may not be promoted by war except under peculiar circumstances. Peace, as I said upon a former occasion, is the true policy of this Republic. "Peace is the animating genius of our institutions ;" and, indeed, ought to be of all nations.

But the whole world, wherever you look, with the exception of a portion of this continent, being under monarchical governments, I desire to know how the oppressed and fettered nations of the earth are to break their chains, and maintain themselves against the armies of despotism, if the law of nations reads that there shall be *no intervention* in their behalf?

I cannot give my consent to any proclamation of principles, which may be construed to abridge the right and sacred duty which belongs to this Government, to do whatever it may choose to do in aid of any people who are striving to throw off the yoke of despotism.

But, Mr. President, there are, in my judgment, *two extremes*, which should be avoided in the conduct of our foreign relations. 1st. We should not recklessly interfere with the affairs of foreign nations. We should count the cost, weigh well the duty and necessity, and be sure that our objects are practicable and attainable, consistent with the principles of our Government and promotive of human liberty and happiness. Washington, and the master spirits of that age of great men, knew well, that in the infancy of this Government, we were not able to cope with the European belligerents who had given us such just cause of offence. But he foresaw the period when this Republic would be able, not only to protect itself, but to stand forth as one of the greatest Powers of the earth. He foresaw, likewise, that our mission was not compatible with any entangling alliances with other nations. He therefore admonished us to avoid all such connexion. Notwithstanding, sir, the able and ingenious manner in which the invitation has been given, that we should entangle ourselves in a coalition with Great Britain to dictate this new law of *non-intervention* to all nations, I am, so far as it respects this overture, for abiding by the advice of Washington—I want no entangling alliances.

2d. The other extreme which we should avoid, and into which so many are desirous that we should rush headlong, without a glance to the future, is, that forgetting all our obligations and duties to the cause of humanity, and to the principles of universal freedom, we should, from unworthy fears or a false conservatism, hastily decide that we have no concern in the condition of the world beyond our own boundaries; and precipitately resolve, that in no event and under no circumstances shall we interfere in behalf of oppressed nations.

I cannot consent to yield and abandon this natural right, which all nations from time immemorial have exercised. Sir, I say that intervention, not for the purpose of helping an odi-

ous tyrant to put down liberty—because that is against the laws of God and man—but in behalf of “*an oppressed people who implore assistance*,” is not only in conformity with the universal *practice* of nations, but it is sustained and inculcated by the best authorities on *public law*.

Vatel says :

“But if the prince attacking the fundamental law, gives his subjects a legal right to resist him—if tyranny becoming insupportable, obliges the nation to rise in their defence, every foreign power has a right to succor an oppressed people who implore their assistance.”

Again, the same author says :

“For when a people from good reasons take up arms against an oppressor, justice and generosity require that brave men should be assisted in defence of their liberties. Whenever, therefore, a civil war is kindled in a State, foreign powers may assist that party which appears to them to have justice on its side. He who assists an odious tyrant—he who declares for an unjust and rebellious people, offends against his duty.”

So much for the law ; now as to the practice.

Mr. Wheaton says, in his history of the “Modern law of Nations:”

“The first war of the French Revolution originated in the application, by the allied Powers, of the principle of armed intervention to the internal affairs of France, for the purpose of checking the progress of her revolutionary principles and the extension of her military power. That this was the avowed motive of the Powers allied in the Continental war of 1792 will be apparent from the examination of historical documents.”

He says again :

“That the measures adopted by Austria, Russia, and Prussia, at the Congress of Troppau and of Laybach, in respect to the Neapolitan revolution of 1820, were founded on principles adapted to give the great Powers of the European continent a perpetual pretext for interfering in the internal concerns of its different States.”

Mr. Wheaton, speaking of that period of time between the peace of Westphalia (1648) and that of Utrecht, of 1813, says :

“Whatever disputes might arise as to its [intervention] application, the principle itself was acknowledged on all hands.”

Sir, I well know that the opponents of intervention are in the habit of relying on isolated passages from writers on the law of nations in support of this doctrine. But it will be found, on a thorough examination of those writers, that all they mean to say is, that no nation has a right to interfere with the *domestic concerns or the municipal institutions of foreign countries, or to stir up to rebellion their citizens or*

subjects. But they all agree to the right to intervene when a people have actually risen and are striving to throw off intolerable oppression.

It is my deliberate opinion, sir, that we not only have the right, but that it would be our duty, under some circumstances, in our own good time, when the occasion is proper, and it may be practicable, to assist any people who rise to achieve their liberties and to establish a republican government. Sir, it has been practiced by all nations from time immemorial; and all the paper promulgations which will ever be made will never stop this practice among nations. The only way in which it can be arrested, is by appealing to their interest and safety—*by boldly declaring that we will interfere whenever it suits us.* Sir, what law will they or do they consult except the law of their own will? You cannot chain up the great powers of the earth by paper declarations of the law of nations. The law of nations in modern times, as well as of old, is the *law of the strongest.* This we experienced to our loss and sorrow for many years, during which our commerce was plundered by Great Britain and France, and for which redress has been vainly sought up to this time by our suffering fellow-citizens.

It is true, indeed, that nations have generally exercised this right for the purposes of oppression and injustice, and in hostility to the rights of mankind. But a better time is coming, when the United States may interpose against the oppressor and in favor of the oppressed.

Therefore, I am unwilling, *after tyranny has so long had sway*, and lorded it over the destinies of mankind, now to avow a principle which leaves to its tender mercies the happiness of the whole human race.

Sir, an avowal by us of the principle of non-intervention would raise a wall around this Republic, as high as heaven, and would shut in the light of liberty from surrounding nations. The avowal of such a principle at this time would be received with one universal shout of joy by all the potentates of Europe, and with one universal wail of lamentation and woe by all true lovers of freedom on earth. I am unwilling to gratify the despots of the world by any such proclamation. What hope would remain to the oppressed after such a

declaration? The radiant light which, emanating from this Republic, has so long cheered and animated their hearts would shine no longer—all would look black and cheerless, and despair would settle darkly on their prospects.

Besides, would not the establishment of the principle of non-intervention as the law of nations, be in direct opposition to the principles declared by Mr. Monroe in relation to this continent? Does any one doubt, that if this country felt itself bound, under no circumstances and at no time, to interfere with the affairs of Europe, that before many years monarchical governments would be established in the whole Southern portion of this continent? Does any one doubt that, before many years, the Island of Cuba would be a dependency of Great Britain? It is, then, palpable that while peace is the policy of this country, and while we should always bear in mind the admonition of Washington against entangling alliances, that it would be suicidal to the honor, to the interests and prospective power of this Government, if the United States should incur any obligation by which they would forever be forbidden from interfering in the affairs of other nations whenever circumstances in any case might render it necessary, just, and expedient. Therefore it seems to me that this principle of non-intervention would be in direct violation of all the rights and duties of a free and independent republic.

Now, sir, in the practical application of these principles to the important topic of the day, I will take hold of that idea which others seem to have handled with such significant delicacy. I am not afraid to express my opinions on this subject, or, indeed, on any other, although the press (which, God knows, is brave enough) seem to shrink from touching it; and I say, for one, that I am not prepared to go to war with Russia on account of Hungary, partly because Russia is our old, and true, and faithful friend, and partly because Hungarian liberty, through the instrumentality of the United States, is at present an idea Utopian and impracticable. This proposition is self-evident, and requires no demonstration; it is an impossible thing, and what is impossible can't be, never comes to pass. But, Mr. President, though I am not prepared, nor willing to go to war with Russia, or to disturb the present state

of things in Hungary, about which we have so little satisfactory information, I will once more repeat, and declare it in the face of the world, as my opinion, that this Government has an indisputable and perfect right to interfere whenever, by such interference, she can promote her own interests and advance the cause of liberty—whenever, by such interference, she may successfully rescue from the grasp of tyranny an oppressed nation, whom she may see fit to assist and to place among the independent nations of the world. This is a principle which we cannot, we dare not, we never will relinquish. It is an inherent principle of nationality, under no pretence whatever to be surrendered.

Sir, if tyrants have used it heretofore to enthrall mankind, this growing Republic will, some of these days, use it for their freedom. In peace let it be maintained with unfaltering tenacity; in war let it be asserted by all the power of arms; and when the great contest begins, as before 1900 it must, between free principles and the right of self-government and despotic power, then let it be inscribed upon all our banners—everywhere—wherever they float, on every sea, and land, and ocean, and continent, where the warfare rages, let it herald the advent of freedom and national independence, and the discomfiture of tyranny and oppression.

I move that the resolutions be laid upon the table, and printed for the use of the Senate.

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